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International Convention on
the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-third session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the
Elimination of Racial Discrimination

Morocco

1. The Committee considered the twelfth and thirteenth periodic reports of Morocco (CERD/C/298/Add.4) at its 1282nd and 1283rd meetings, on 6 and 7 August 1998, and, at its 1296th meeting held on 17 August 1998, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the State party's submission of its twelfth and thirteenth periodic reports and expresses its satisfaction to the delegation for the additional information supplied orally and in writing to the wide range of questions raised by the members of the Committee during the consideration of the reports. The Committee notes that, although the reports submitted by the State party are in keeping with the Committee's guidelines, more detailed information is required on the implementation of the Convention. The Committee also welcomes the constructive, open and fruitful dialogue conducted with the delegation of the State party.

B. Positive aspects

3. The State party's new policy of giving greater attention to human rights issues, including the objectives of the Convention, is welcomed with satisfaction.

4. The Committee takes note with interest of the activities of the Human Rights Advisory Council and the Ministry of Human Rights, particularly with regard to ongoing efforts to study all laws and regulations to assess their conformity with the relevant international human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination.

5. It is noted with interest that the State party and the Office of the United Nations High Commissioner for Human Rights in Geneva have launched a project to introduce human rights education in primary and secondary school curricula and to set up a national centre for human rights studies.

6. Note is taken with satisfaction of the establishment in 1995 of regional councils for culture and the increased attention being paid to Berber culture, particularly in respect of measures to include Berber dialects in school curricula.

7. The Committee welcomes the efforts by the State party to improve its relations with international and national non-governmental organizations dealing with human rights, including the objectives of the Convention, and the progress made in opening up to civil society.

C. Principal subjects of concern

8. While taking note of the State party's point of view on the problems involved in determining the ethnic composition of the population, the Committee finds that there is a lack of information on this point in its reports.

9. With reference to article 4 of the Convention, the Committee welcomes the statement by the State party that domestic legislation will be brought into line with the Convention once the Penal Code is amended, but it notes with concern that, at present, there are no specific legal provisions prohibiting racial discrimination. Although the Constitution provides for a number of human rights, including the general principle of non-discrimination, legislative, judicial and administrative measures to give effect to the Convention are still lacking. In this connection, attention is drawn to articles 2, 6 and 7 of the Convention, according to which States parties are expressly required to adopt specific measures to give full effect to the rights in question.

10. The lack of information on the number of complaints and judicial decisions concerning acts of racism, regardless of their nature, and the compensation granted as a result is a source of concern.

D. Suggestions and recommendations

11. The Committee recommends that the State party should give information on the ethnic composition of the Moroccan population in its next periodic report, in accordance with paragraph 8 of the Committee's guidelines.

12. In view of article 4 of the Convention and the ongoing process of the amendment of the Moroccan Penal Code, the Committee encourages the State party to bring the Code into line with the provisions of the Convention and recommends that the State party should inform it of the results of its efforts in its next periodic report.

13. The Committee also requests information on other legal reforms and on the results of the amendment of the Labour Code, from the standpoint of the provisions of the Convention.

14. In its next report, the State party should include detailed information on racially motivated offences, including the number of complaints and judicial decisions concerning racist acts, regardless of their nature.

15. The State party should also supply information on the activities of the Human Rights Advisory Council relating to the Convention.

16. While welcoming the information provided by the delegation, the Committee would like to have additional information in the next report on socio-economic indicators for the situation of the Berbers, blacks, nomads, Sahrawis and other minorities.

17. The Committee requests the State party to provide information on the results of the human rights education project being carried out by the State party and the Office of the United Nations High Commissioner for Human Rights, with particular reference to the components of the project relating to racial discrimination.

18. The Committee suggests that the State party should take steps effectively to disseminate not only the provisions of the Convention, but also the State party's periodic reports and the Committee's conclusions.

19. The Committee recommends that the State party should ratify the amendments to article 8, paragraph 6, of the Convention adopted on 15 January 1992 at the Fourteenth Meeting of State Parties to the Convention.

20. It is noted that the State party has not made the declaration provided for in article 14 of the Convention; some members of the Committee requested that the possibility of such a declaration should be considered.

21. The Committee recommends that the State party's next report, which was due on 17 January 1998, should be an updating report and that it should cover all the points raised in these concluding observations.